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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE ALBERTO CUYUCH-MENDEZ,

Defendant.

CASE NO. 2:21-CR-00022-MCE

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: March 25, 2021
TIME: 10:00 a.m.
COURT: Hon. Morrison C. England, Jr.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and the defendant Jose Alberto Cuyuch-Mendez, by and through his counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on March 25, 2021.
2. By this stipulation, the defendant now moves to continue the status conference until April 8, 2021, and to exclude time between March 25, 2021, and April 8, 2021, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has previously produced to defense counsel discovery associated with this case that includes over 100 pages of documents, as well as audio files.
 - b) Counsel for the defendant desires additional time to consult with her client, review the current charges, conduct investigation and research related to the charges, and review discovery.

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1 c) Counsel for the defendant believes that failure to grant the above-requested
2 continuance would deny her the reasonable time necessary for effective preparation, taking into
3 account the exercise of due diligence.

4 d) The government does not object to the continuance.

5 e) Based on the above-stated findings, the ends of justice served by continuing the
6 case as requested outweigh the interest of the public and the defendant in a trial within the
7 original date prescribed by the Speedy Trial Act.

8 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
9 et seq., within which trial must commence, the time period of March 25, 2021 to April 8, 2021,
10 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
11 because it results from a continuance granted by the Court at the defendant's request on the basis
12 of the Court's finding that the ends of justice served by taking such action outweigh the best
13 interest of the public and the defendant in a speedy trial.

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4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: March 18, 2021

PHILLIP A. TALBERT
Acting United States Attorney

/s/ SAM STEFANKI

SAM STEFANKI
Assistant United States Attorney

Dated: March 18, 2021


/s/ MIA CRAGER

MIA CRAGER
Counsel for Defendant
JOSE ALBERTO CUYUCH-MENDEZ

ORDER

IT IS SO ORDERED.

Dated: March 23, 2021



MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE